

**REMARKS**

Applicant respectfully requests reconsideration of the application in view of the remarks below. The originally filed claims 1-40 are currently pending in the application. Claims 1, 28, and 40 are independent claims.

**Examiner Interview Requested**

Applicant hereby requests that the Examiner grant the undersigned representative an in-person or telephonic interview prior to the issuance of the next Office Action. Accordingly, Applicant respectfully requests that the Examiner telephone the undersigned at 202-842-7807 to schedule an interview at a time convenient to the Examiner prior to the mailing of the next Office Action.

**Rejections over Weiss '388**

As an initial matter, Applicants note that there are multiple patents to Weiss of record in this application. The Examiner has relied on U.S. Patent No. 5,657,388 to Weiss (hereinafter "*Weiss '388*") as the primary reference in the outstanding rejections. For the reasons set forth below, Applicants maintain that the rejections are ill-founded on Weiss '388. Applicants wonder if the Examiner means to apply a different Weiss reference. However, Applicants' obligation is to address the rejection at hand, and Applicants therefore do so.

**Claims 1-40 are patentable under 35 U.S.C. § 103**

Claims 1-40 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Weiss '388* in view of a product datasheet describing SecurID authentication tokens.

Applicant respectfully traverses this rejection for the reasons set forth below.

**Independent claim 1**

In the Final Office Action mailed June 2, 2005, the Examiner has generally responded by mischaracterizing Applicant's prior argument as "*Weiss...does not teach verification*" and then

stating that “Weiss discusses varying in nonpredictable ways so as to provide unique codes.” (Final Office Action at 2.) In fact, Applicant’s prior response simply pointed out that the passage cited by the Examiner does not discuss or even contain the phrase “verification unit.”

The Examiner, in the first Office Action dated September 15, 2004, had referenced Weiss ‘388 as teaching various elements of pending claim 1 and referred to “column 2, lines 4-44, especially the discussion of verification unit which shows how the seed numbers are updated and compared – thus, such decryption, etc. of the claim are shown.” As pointed out in Applicant’s prior response, the cited passage from Weiss does not discuss a “verification unit.” Although the cited passage does discuss “varying in nonpredictable ways so as to provide unique codes,” this does not appear to have anything to do with a “verification unit” or even any type of verifying process. Applicants have again reproduced below the entire passage.

Column 2, lines 4-44 of Weiss ‘388 read (beginning in the “BACKGROUND OF THE INVENTION” section):

of local and wide area networks and by the use of radiowaves to transmit data. It is also possible that the token could be “borrowed”, read by a suitable device to obtain the secret user code and then returned before the owner realizes it is missing. In either event, the token containing the code could be recreated and used for some period of time to gain access to sensitive information within a database or to other information resources without detection. Therefore, improved “smart” tokens, such as those disclosed in U.S. Pat. Nos. 4,720,860 and 5,023,908 and various related patents have varied the values stored in the token, or at least the value outputted from the token, in accordance with some algorithm which causes the values to vary in a nonpredictable way with time so as to provide unique one-time codes.

However, while such devices have provided significantly enhanced security for secret access codes, and therefore significantly enhanced security for the data processing system, database or other information resource with which such devices are being utilized, a “smart” card (which for purposes of this application as defined as a card having data processing capability) has been required to use such systems. Smart cards are usually somewhat larger and heavier than a standard credit card and are significantly more expensive. Since these devices are typically battery-operated, they also have a finite life, typically about three years, and need to be replaced at the end of such time, further increasing the cost of their use. For systems having large numbers of authorized users, this expense can become substantial and, in conjunction with some resistance to the bulk of such cards, has limited the applications of such systems.

A need therefore exists for an improved secure access technique which provides the advantages of one-time code and the possibility of two factor security while permitting the use of inexpensive and relatively small tokens, which tokens may have a theoretically unlimited life.

#### SUMMARY OF THE INVENTION

In accordance with the teachings of this invention, a “dumb token” is utilized which preferably only stores selected information which may be utilized to identify or

Applicant maintains its existing arguments with respect to the rest of claim 1. Specifically, the SecurID product sheet does not make up for the above deficiency, and, thus, the cited references do not teach or suggest all the claim limitations of claim 1. In particular, Weiss '388 does not teach or suggest steps (c)-(f). As again pointed out above, Weiss particularly does not teach or suggest a “verification unit.”

The Examiner goes on to assert that “it would have been obvious to those of ordinary skill in the art at the time of the claimed invention to combine the teachings of SecurID and Weiss for the motivation noted in the previous paragraph so as to teach the claimed invention.” See page 4, first full paragraph of the Final Office Action. In the previous paragraph, the Examiner states “thus, such decryption, etc. of the claim are shown)” for the motivation of “permitting access (column 1, lines 5-11).”” Column 1, lines 5-11 of Weiss '388 read:

#### RELATED INVENTIONS

This application is a continuation-in-part of application Ser. No. 08/067,517, filed May 25, 1993, entitled ENHANCED SECURITY FOR A SECURE TOKEN CODE, now U.S. Pat. No. 5,485,519.

#### FIELD OF THE INVENTION

Again, and as stated in Applicant's prior response, Applicant cannot reasonably discern how the passage above, which the Examiner specifically cited, relates to claim 1, or even to the Examiner's characterization of the passage as providing a “motivation of permitting access.”

Accordingly, for at least the reasons discussed above, Applicant respectfully requests that the rejection of independent claim 1 be withdrawn. Additionally, for at least the same reasons,

Applicant respectfully requests that the rejection of claims 2 – 27 which depend from independent claim 1, be withdrawn.

Independent claim 28

Independent claim 28 is listed on page 6 of this paper in full. In the Final Office Action, the Examiner asserts that Weiss '388 teaches the last element of claim 28, which reads:

“a decryption device located at said structure and having an unlocking assembly coupled to said lock mechanism, said decryption device being responsive to input of said cryptogram to unlock said lock mechanism if a decrypted time representation produced by decrypting said cryptogram meets a time-based criteria in said decryption device.”

The Examiner points to Weiss '388 “column 2, lines 4-44, especially the discussion of the verification unit which shows how the seed numbers are updated and compared.” See page 5, first full paragraph of the Final Office Action.

Applicant maintains its existing arguments with respect to Claim 28. As noted above and as pointed out in Applicant's prior response, column 2, lines 4-44 of Weiss '388 read as shown above. As in the instance of claim 1, Applicant cannot discern how the passage above, which the Examiner specifically cited, relates to claim 28. Moreover, Applicant cannot discern how the passage above even relates to the Examiner's characterization of it as discussing a verification unit. In fact, the word “verification” appears only once in Weiss '388 and not alongside the word “unit.” See column 6, line 16 of Weiss '388.

The SecurID product sheet does not make up for the deficiency, above, nor does the Examiner assert that it does.

Thus, Applicant respectfully requests that the Examiner withdraw the rejection because the cited references do not teach or suggest the claim limitations of claim 28. In particular, Weiss does not teach or suggest a verification unit as relied upon by the Examiner, and thus fails to teach or suggest the claimed system of claim 28.

The Examiner goes on to assert that “it would have been obvious to those of ordinary skill in the art at the time of the claimed invention to combine the teachings of SecurID and Weiss for the motivation noted in the previous paragraph so as to teach the claimed invention.” See page 5, first full paragraph of the Office Action. The previous paragraphs point to the motivation asserted with respect to claim 1, purportedly “permitting access (column 1, lines 5-11).” Column 1, lines 5-11 of Weiss ‘388 are quoted above.

As with claim 1, Applicant cannot discern how column 1, lines 5-11 of Weiss ‘388, which the Examiner specifically cited, relates to claim 28, or even to the Examiner’s characterization of the passage as providing a “motivation of permitting access.” As noted above, Weiss ‘388 fails to teach or suggest the “permitting access” feature relied upon by the Examiner and thus fails to provide a motivation to combine the teachings of Weiss ‘388 and SecurID.

Accordingly, for at least the reasons discussed above, Applicant respectfully requests that the rejection of independent claim 28 be withdrawn. Additionally, for at least the same reasons, Applicant respectfully requests that the rejection of claims 29 – 39, which depend from independent claim 28, be withdrawn.

#### Independent claim 40

Independent claim 40 is listed on pages 9 – 10 of this paper in full. The Examiner asserts that Weiss ‘388 teaches:

said decryption device at each of said plurality of lock boxes having a different decrypting cryptographic key;

said encryption device being formed to encrypt a time representation based upon a clock time of the encryption clock with an encrypting cryptographic key selected by input to said encryption device of a selected lock box identifier to produce a cryptogram; and

said decryption device being formed to decrypt said cryptogram using said decryption algorithm and a decrypting cryptographic key for the lock box into which said cryptogram is input to produce a decrypted time representation;

said decryption device further being formed to compare said decrypted time representation with a time representation based upon the clock time from the clock in said decryption device at the time of input of said cryptogram to said decryption device and to actuate said unlocking mechanism if said decrypted time representation and said time representation have upon the decryption clock meet a required criteria.

The Examiner points to Weiss '388 "column 2, lines 4-44, especially the discussion of the verification unit which shows how the seed numbers are updated and compared." See page 6, second full paragraph of the Final Office Action. Column 2, lines 4-44 of Weiss '388 read as shown above.

Applicant maintains its existing arguments with respect to Claim 40. As in the instances of claim 1 and claim 28, Applicant cannot discern how the passage above, which the Examiner specifically cited, relates to claim 40. Moreover, Applicant cannot discern how the passage above even relates to the Examiner's characterization of it as discussing a verification unit. In fact, the word "verification" appears only once in Weiss '388 and not alongside the word "unit." See column 6, line 16.

The SecurID product sheet does not make up the deficiency, above, nor does the Examiner assert that it does.

Thus, Applicant respectfully requests that the Examiner withdraw the rejection because the cited references do not teach or suggest the claim limitations of claim 40. In particular, Weiss '388 does not teach or suggest a verification unit as relied upon by the Examiner and thus fails to teach or suggest the control system of claim 40.

The Examiner goes on to assert that "it would have been obvious to those of ordinary skill in the art at the time of the claimed invention to combine the teachings of SecurID and Weiss for the motivation noted in the previous paragraphs so as to teach the claimed invention." See page 7, first full paragraph of the Final Office Action. The previous paragraphs point to the motivation asserted with respect to claim 1 and claim 28, purportedly "permitting access (column 1, lines 5-11)." Column 1, lines 5-11 of Weiss '388 are quoted above.

As with claims 1 and 28, Applicant cannot reasonably discern how column 1, lines 5-11 of Weiss '388, which the Examiner specifically cited, relates to claim 40, or even to the Examiner's characterization of the passage as providing a "motivation of permitting access."

Accordingly, for at least the reasons discussed above, Applicant respectfully requests that the rejection of independent claim 40 be withdrawn.

Dependent claims 2, 3, 4-27, and 29-39

As stated above, Claims 2-27, and 29-39 depend directly or indirectly from claims 1 and 28, and are listed in full above. The Examiner rejected each and every one of these claims with the statement "such features are well known in the art for the motivation of security." Applicant maintains its prior disagreement with this assertion. Again, should the Examiner maintain the rejections, Applicant respectfully requests that the Examiner produce objective evidence that all of the limitations of claim 2-27, and claims 29-39 are well known in the art.

**Conclusion**

All rejections having been addressed, Applicant respectfully submits that the present application is in condition for allowance, and earnestly solicits a Notice of Allowance, which is believed to be in order. Should the Examiner have any questions regarding this communication, or the application in general, he is invited to telephone the undersigned at 202-842-7807.

The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17, and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 50-1283.

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Cooley Godward LLP  
ATTN: Patent Group  
One Freedom Square  
Reston Town Center  
11951 Freedom Drive  
Reston, VA 20190-5656  
Tel: (703) 456-8000  
Fax: (703) 456-8100

Respectfully submitted,

**COOLEY GODWARD LLP**

 *Randy V. Sabett*

By:

Randy V. Sabett  
Reg. No. 43,074